

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ALLAN FLETCHER,

Plaintiff,

v.

CLENDENIN, *et al.*,

Defendants.

Case No. 1:22-cv-00249-AWI-BAM (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS REGARDING  
PLAINTIFF'S MOTION FOR TEMPORARY  
RESTRAINING ORDER AND ORDER TO  
SHOW CAUSE RE: PRELIMINARY  
INJUNCTION

(ECF No. 10)

Plaintiff Allan Fletcher ("Plaintiff") is a civil detainee proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 *et seq.* are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. *Page v. Torrey*, 201 F.3d 1136, 1140 (9th Cir. 2000).

On March 25, 2022, the assigned Magistrate Judge issued findings and recommendations recommending that Plaintiff's motion for temporary restraining order be denied. (ECF No. 10.) The findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 5–6.) Plaintiff has not filed objections, and the deadline to do so has expired.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that

1 the Magistrate Judge's findings and recommendations are supported by the record and by proper  
2 analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations issued on March 25, 2022, (ECF No. 10), are adopted  
5 in full;  
6 2. Plaintiff's motion for temporary restraining order, (ECF No. 8), is denied; and  
7 3. The matter is referred back to the assigned Magistrate Judge for further proceedings  
8 consistent with this order.

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10 IT IS SO ORDERED.

11 Dated: June 10, 2022

  
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SENIOR DISTRICT JUDGE